



PATENT  
450100-02558.3

B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Hiroaki Yada, et al. Notice of Allowance  
Dated: 05/02/2005  
Serial No. : 10/338,263 Confirmation No. 2771  
For : DISK DEVICE HAVING REAL-TIME AND  
RELIABILITY RECORDING MODES  
Filed : January 8, 2003  
Examiner : Huber, Paul W.  
Art Unit : 2653

745 Fifth Avenue  
New York, New York 10151

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an envelope  
addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450, on June 20, 2005.

Thomas F. Presson, Reg. No.41,442

Name of Applicant, Assignee or Registered Representative

*Thomas F. Presson*  
Signature

June 20, 2005

Date of Signature

**RESPONSE TO EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

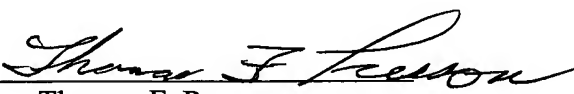
This is in response to the Examiner's Statement of Reasons for Allowance, which  
accompanied the Notice of Allowance mailed May 3, 2003. To the extent the Examiner's  
Statement of Reasons for Allowance states, implies or is construed to mean that the claims are

allowable over the prior art of record because the Examiner believes the claims should be interpreted to include one or more features or limitations not recited therein, Applicants' attorney disagrees with such an interpretation. Moreover, it is Applicants' contention that there is no particular limitation in the allowed claims that is more critical than any other. The issuance of the Examiner's Statement of Reasons for Allowance should not be construed as a surrender by Applicants of any subject matter. It is the intent of Applicants, by their attorney, to construe the allowed claims so as to cover the invention disclosed in the instant application and all equivalents to which the claimed invention is entitled.

Applicants note that the Title included in the Notice of Allowance does not reflect the Title as amended in amendment filed on January 13, 2003. Applicants respectfully request that the Title printed on the patent reflects the Title as amended.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800